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Attorneys for Defendant
COUNTY OF MARIN

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

SEAPLANE ADVENTURES, LLC, a California
Limited Liability Company

Plaintiff,

v.

COUNTY OF MARIN, CALIFORNIA; AND
DOES 1 THROUGH 10, Inclusive,

Defendant.

Case No.: 20-cv-06222-WHA

**DECLARATION OF MARIN COUNTY
AIRPORT MANAGER DAN JENSEN IN
SUPPORT OF DEFENDANT COUNTY OF
MARIN'S MOTION FOR SUMMARY
JUDGMENT**

Complaint filed: September 2, 2020

Date: October 7, 2021
Time: 8:00 AM
Judge: Honorable William Alsup
Dept: Courtroom 12, 19th Floor

I, DAN JENSEN, declare as follows:

1. I am employed by the County of Marin ("County") as the Airport Manager for the Marin County Airport (also known as Gnoson Field, "Airport"). I submit this declaration in support of County's motion for summary judgment. I have personal knowledge of the contents of this declaration. If called as a witness, I could and would competently testify to the matters set forth in this declaration.

2. I have been employed as the Airport Manager for the Airport continuously since 2011. The Airport is owned and operated by County. As the Airport Manager, I manage, coordinate, and oversee daily operations at the Airport.

1 3. In 2020, County (through its Public Health Officer, Dr. Matthew Willis) issued a number
2 of health orders and other guidance in response to the COVID-19 pandemic. I understand that the
3 terms of those health orders and other guidance applied to all individuals and businesses in Marin
4 County, including the individuals and businesses at the Airport. In connection with my duties as
5 Airport Manager, I generally reviewed the terms of the health orders at the time they were issued.

6 4. I understand that County did not (and does not) have the resources to inform and then
7 actively monitor every individual and business in Marin County to ensure compliance with all the
8 various terms of these orders. Given this limitation, I understand that County relied on outreach and
9 publicity efforts to maximize the effectiveness of these health orders. In addition, I understand that
10 County relied on individuals and business throughout Marin County, including at the Airport, to
11 comply in good faith with the terms of these orders. Finally, as a third component of its outreach
12 efforts, I understand that County relied on reports from the public and/or businesses to identify
13 potential violations of these orders.

14 5. To my knowledge, every business at the Airport complied with the terms of the health
15 orders issued by County. I never received any report, nor did I ever otherwise learn, that any business
16 or individual operating at the Airport was acting in violation of any of the terms of the health orders
17 issued by County.

18 6. I understand that one of the businesses that operated out of the Airport—Skydive Golden
19 Gate, a skydiving tour business—communicated with County staff in May and June 2020 regarding
20 whether the health orders in effect at that time permitted them to resume operations. I further
21 understand that after conferring with Dr. Willis and County Counsel, County staff informed Skydive
22 Golden Gate that it could not resume its operations under the terms of the health orders in effect at that
23 time. I am not aware of any indication that Skydive Golden Gate ever conducted any operations at the
24 Airport in 2020 after these communications.

25
26 I declare under penalty of perjury under the laws of the State of California that the foregoing is
27 true and accurate to the best of my knowledge

28 Executed on August 27, 2021, in San Rafael, California.

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By: *Daniel Jensen*
Daniel Jensen